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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

234/293

First Named Inventor or Application Identifier Martin, William J.

Title

STEALTH VIRUS DETECTION IN THE CHRONIC FATIGUE SYNDROME

Express Mail Label No.

EM104358581US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ \* Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 25]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3. \_\_\_\_\_ Drawing(s) (35 USC 113) [Total Sheets \_\_\_\_\_]
4. Oath or Declaration [Total Pages \_\_\_\_\_]
- a. \_\_\_\_\_ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR § 1.63(d))  
(for continuation/divisional with Box 17 completed)  
[Note Box 5 below]
- i. \_\_\_\_\_ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 CFR §§ 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a  
copy of the oath or declaration is supplied under Box 4b, is  
considered as being a part of the disclosure of the  
accompanying application and is hereby incorporated by  
reference therein.

6. \_\_\_\_\_ Microfiche Computer Program (Appendix)
7. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. \_\_\_\_\_ Computer Readable Copy
- b. \_\_\_\_\_ Paper Copy (identical to computer copy)
- c. \_\_\_\_\_ Statement verifying identity of above copies.

**ACCOMPANYING APPLICATION PARTS**

8. \_\_\_\_\_ Assignment Papers (cover sheet & document(s))
9. \_\_\_\_\_ 37 CFR § 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
10. \_\_\_\_\_ English Translation Document (if applicable)
11. \_\_\_\_\_ Information Disclosure  
Statement (IDS)/PTO-1449 \_\_\_\_\_ Copies of IDS Citations
12. \_\_\_\_\_ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
14. \_\_\_\_\_ \* Small Entity  
Statement(s) ☒ Statement filed in prior application,  
(PTO/SB/09-12) Status still proper and desired
15. \_\_\_\_\_ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Other: Check for \$ 573.00. ....

\* NOTE FOR ITEMS 1&14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY  
FEES, A SMALL ENTITY STATEMENT IS REQUIRED FOR (37 C.F.R. § 1.27),  
EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON  
(37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

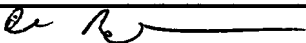
☒ Continuation \_\_\_\_\_ Divisional \_\_\_\_\_ Continuation-in-part (CIP) of prior application No: 08/157,811Prior application information: Examiner CARTER, P. Group/Art Unit: 1802**18. CORRESPONDENCE ADDRESS**

Customer Number of Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

NAME	Charles S. Berkman, Esq.				
	LYON & LYON				
ADDRESS	633 West Fifth Street, Suite 4700				
CITY	Los Angeles	STATE	CA	ZIP CODE	90071
COUNTRY	US	TELEPHONE	619/552-8400	FAX	213/955-0440

Name (Print/Type)	Charles S. Berkman	Registration No. (Attorney/Agent)	38,077
Signature		Date	May 26, 1998

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (12-97)  
Approved for use through 9/30/00. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## FEE TRANSMITTAL

Note: Effective October 1, 1997.  
Patent fees are subject to annual revision.

### Complete if Known

Application Number	To be assigned
Filing Date	May 26, 1998
First Named Inventor	William John Martin
Group Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	234/293

Total Amount of Payment **(\$ 573.00)**

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  
Deposit Account Number 12-2475  
Deposit Account Name Lyon & Lyon LLP  
☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance
2. ☒ Payment enclosed: \$573.00  
☒ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	790	201	395	Utility filing fee	\$395.00
106	330	206	165	Design filing fee	
107	540	207	270	Plant filing fee	
108	790	208	395	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)					\$395.00

#### 2. CLAIMS

	Extra	Fee from below	Fee Paid
Total Claims	25	-20 = 5	X 11 = 55.00
Independent Claims	6	-3 = 3	X 41 = 123.00
Multiple Dependent Claims		X	=

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	22	203	11	Claims in excess of 20
102	82	202	41	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
109	82	209	41	Reissue independent claims over original patent
110	22	210	11	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) **178.00**

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action.	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action.	
115	110	215	55	Extension for reply within first month.	
116	400	216	200	Extension for reply within second month.	
117	950	217	475	Extension for reply within third month.	
118	1,510	138	1,510	Extension for reply within fourth month.	
128	2,060	228	1,030	Extension for reply within fifth month.	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,320	241	660	Petition to revive - unintentional	
142	1,320	242	660	Utility issue fee (or reissue)	
143	450	243	225	Design issue fee	
144	670	244	335	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$ **-0-**

### SUBMITTED BY

Typed or Printed Name	Charles S. Berkman	Reg. Number	38,077
Signature		Deposit Account User ID	12-2475
Date	May 26, 1998		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## LAW OFFICES

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\*\*\* MEMBER OF NEW JERSEY BAR

May 26, 1998

Attorney Docket No. 234/293

BOX Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Enclosed is a continuation patent application as  
follows:

Applicants: WILLIAM JOHN MARTIN

Title: STEALTH VIRUS DETECTION IN THE CHRONIC FATIGUE  
SYNDROME

## CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or  
enclosed) is being deposited with the United States Postal Service on the date shown below  
with sufficient postage as Express Mail in an envelope addressed to the Assistant  
Commissioner for Patents, Washington, D.C. 20231.EM 104358581 US  
Express Mail mailing no.May 26, 1998  
date of depositROBERT BEAUCLAIR  
Name of person mailing paperRobert Beauclair  
signature of person mailing paper

SSSD/91735. v01

Assistant Commissioner for Patents  
May 26, 1998  
Page 2

Attorney Docket No. 203/128

No. Pages of Specification: 20

No. Pages of Claims: 4

No. Pages of Abstract: 1;

No. Pages of Sequence Listing 0;

No. Pages of Drawings: 0; and

No. Sheets of Tables: 0.

If this application is found otherwise to be incomplete, or if at any time appears that a telephone conference with counsel would helpfully advance prosecution, please telephone the undersigned in La Jolla, California (619) 552-8400.

Please direct all correspondence to the following:

Richard J. Warburg, Esq.  
LYON & LYON LLP  
633 West Fifth Street  
Suite 4700  
Los Angeles, CA 90071

Kindly acknowledge receipt of the foregoing application by returning the self-addressed postcard.

Respectfully submitted,

LYON & LYON LLP



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Charles S. Berkman  
Registration No. 38,077

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